

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

JAMES C. PAYNE,

Plaintiff,

v.

STATE OF OKLAHOMA, et al.,

Defendants.

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Case No. CIV-15-10-JHP

**ORDER AFFIRMING AND ADOPTING THE ORDER
OF THE UNITED STATES
MAGISTRATE JUDGE**

On August 25, 2015, the United States Magistrate Judge entered a Report and Recommendation regarding the defendants' State of Oklahoma and the Oklahoma Department of Corrections Motion to Dismiss. The Magistrate Judge recommended the Motion to Dismiss be granted. The plaintiff has not filed an objection to the Magistrate Judge's Report and Recommendation within the time prescribed by law. 28 U.S.C. §636(b)(1); Fed. R. Civ. P. 72(a).

This Court finds that the Report and Recommendation of the Magistrate Judge is supported by the record. Therefore, upon full consideration of the entire record and the issues presented herein, this Court finds and orders that the Report and Recommendation entered by the United States Magistrate Judge on August 25, 2015, be **AFFIRMED** and **ADOPTED** by this Court as its Findings and Order.

IT IS SO ORDERED this 17th day of September, 2015.


James H. Payne
United States District Judge
Eastern District of Oklahoma